

**SUNSHINE ORDINANCE
TASK FORCE**



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ORDER OF DETERMINATION
November 22, 2016

DATE ISSUED

November 2, 2016

CASE TITLE – Ann Treboux v. Kate Patterson and the Arts Commission
(File No. 16056)

FACTS OF THE CASE

On June 22, 2016, Ann Treboux (Complainant) filed the following complaint:

File No. 16056: Complaint filed by Ann Treboux against Kate Patterson and the Arts Commission for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

HEARING ON THE COMPLAINT

On September 27, 2016, the Complaint Committee heard the matter.

Ann Treboux (Complainant) provided a summary of the complaint and requested that the Task Force find a violation. There were no speakers in support of the Complainant. Kate Patterson, Arts Commission (Respondent) provided a summary of the department's position. Ms. Patterson stated that both she and her backup were out of the office at the time the public records request was made but cannot provide evidence that an out of office message was sent to the Complainant. In an effort to prevent the error from occurring again, Ms. Patterson stated that a third backup has been added to respond to public records requests and internal checks have been implemented to ensure that designated responders are not out of the office at the same time. There were no speakers in support of the Respondent. A question and answer period followed. The Complainant and Respondent were allowed to provide rebuttals.

On November 2, 2016, the Sunshine Ordinance Task Force (Task Force) heard the matter.

Member Tesfai provided a summary of the Complaint Committee recommendation.

Ann Treboux (Complainant) provided an overview of the complaint and requested the Task Force to find violations.

FINDINGS OF FACT AND CONCLUSION OF LAW

Based on the testimony and evidence presented, the Task Force found that that a violation of Administrative Code (Sunshine Ordinance), Section(s) 67.25, occurred.

REPORT/RECOMMENDATION

On November 2, 2016, the Task Force found that Kate Patterson and the Arts Commission violated Administrative Code (Sunshine Ordinance), Section(s) 67.25, *by failing to respond to an Immediate Disclosure Request in a timely manner.*

The motion PASSED by the following vote:

Ayes: 10 - Baranetsky, Eldon, J. Wolf, Tesfai, Maass, Cannata, Fischer, Hinze, Hyland, Wolfe

Noes: 0 - None

Absent: 1 - Chopra



Bruce Wolfe, Chair
Sunshine Ordinance Task Force

c. Ann Treboux (Complainant)
Kate Patterson, Arts Commission (Respondent)